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December 8, 2020

via ELECTRONIC FILING

Hon. Brian M. Cogan
United States District Judge
Eastern District of New York
Cadman Plaza East
Brooklyn, New York 11201

Re: Weberman v. Collado, 20-CV-3584 (BMC)

Dear Judge Cogan:

On November 23, 2020 the Kings County District Attorney's Office filed its response, on behalf of Superintendent, Jaifa Collado, to Nechemya Weberman's petition for a writ of habeas corpus, which we filed on August 10, 2020. Respondent's answer spans 90 pages, which does not include the state court trial transcripts, appellate briefs, briefs on Petitioner's motion to vacate, or briefs on Petitioner's motion for a writ of error *coram nobis* (see Exhibits A through QQ; Affidavit in Opposition, pp. 15-19, ¶41), which were filed in support of the answering papers. In Your Honor's September 9, 2020 Order, Respondent was ordered to respond within sixty (60) days of the petition and to show cause why the writ should not issue. Respondent subsequently asked for one extension to file its answer, and we consented to this request. We were served with an electronic copy of Respondent's answer on November 23, 2020, and our reply, or traverse, therefore, is currently due, December 23, 2020, which, in accordance with the Court's order, "is within thirty (30) days of receipt of a copy of the return." I am respectfully asking the Court for a thirty-day extension, to and including January 22, 2021, to file our reply. Unfortunately, and as I have advised ADA Anthea Bruffee, this request is occasioned by medical issues that I am experiencing. ADA Bruffee consents to this request, and to a longer request, if it becomes necessary. If the Court requires additional information regarding the reasons for this extension request, I ask that I be permitted to provide that information under seal.

I thank Your Honor in advance for considering my request for a thirty-day extension to and including January 22, 2021 to file our Reply.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Dannielle Muscatello". The signature is fluid and cursive, with a large initial "D" and a stylized "M".

Dannielle Muscatello, Esq.
Donna Aldea, Esq.
(516) 745-1500

cc via ecf to: ADA Anthea Bruffee